

REMARKS

Claims 1-21 are pending in the application. Claims 1-21 have been rejected by the Examiner.

Claims 1-2, 4-6, 9-18 and 20-21 are rejected under 35 USC § 102(b) as being anticipated by Staples et al (US Patent No. 5,889,845).

Claim 1 has been amended to more clearly show that the first signaling further comprises a generation of an off-hook indicator that is sent from the PBX conditioner to the PBX, and that the PBX conditioner detects the termination of the call and then removes the off-hook indicator from the PBX. This is not shown, taught nor suggested by Staples.

The office action states that Staples shows a mechanism for detecting a termination of a PSTN routed call at column 22, lines 45-52, and column 26, line 58 to column 27, line 18. Upon review of this text, it was found that column 22, lines 45-52 are directed to network devices that query each other as to whether or not they are connected to the network. All of the devices on a network are typically connected to the network, which is different than participating in the call. If a phone is busy or idle, it is still connected to the network. This text does not address determining if a call has been terminated.

The text at column 26, line 58 through column 27, line 18, is directed to different ideas. Text from column 26, line 58 through line 62 is directed to the user terminating a call and then entering a command to notify the virtual presence server that the user is off the line. The text from column 26, line 63 to column 27, line 18 is related to Remote Access Call Forwarding, which is not relevant to this invention.

As such, the only way the virtual presence server of Staples is informed of a termination of a phone call outside the server is if the user identifies the termination. This is not detecting the termination of a call and then automatically removing the off-hook indicator from the PBX. As these tasks are required by claim 1, as amended, it is therefore submitted

that claim 1 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claims 10, 14 and 18 have all been amended to include this limitation and it is therefore submitted that these claims are patentably distinguishable over the prior art for the reasons as applied to claim 1 and allowance of these claims is requested.

Claims 2, 4-6 and 7-9 depend from claim 1 and should be ruled allowable for that reason and for their own merits. Claims 11-13 depend from claim 10 and should be ruled allowable for that reason and for their own merits. Claims 15-17 depend from claim 14 and should be ruled allowable for that reason and for their own merits. Claims 20-21 depend from claim 18 and should be ruled allowable for that reason and for their own merits. It is therefore submitted that claims 2, 4-6 and 7-9 are patentably distinguishable over the prior art and allowance of these claims is requested.

Claim 8 is rejected under 35 USC § 103(a) as being unpatentable over Staples et al. in view of Astarabadi (US Patent No. 5,822,405).

As discussed above, Staples does not disclose a transmitting an off-hook indicator to a PBX indicating a phone is off the hook, allowing the phone to route a telephone call outside the PBX, detecting when the call has terminated and then removing the off-hook indicator. The combination of references does not teach that during the time the telephone call is being routed outside the PBX, that incoming calls would be directed to voice mail, as is required by claim 8. It is therefore submitted that claim 8 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claims 3, 7 and 19 are rejected under 35 USC § 103(a) as being unpatentable over Staples et al in view of Foodeci et al (U.S. Patent No. 6,445,696).

As discussed above, Staples does not disclose all of the elements of the base claims 1 and 18, from which claims 3, 7 and 19 depend. Staples does not show, teach nor suggest

routing telephone calls outside a PBX, much less that the transmission of the indicator that informs the PBX that the phone is off-hook, thereby enabling the placing of outside the PBX calls, is either Frame Relay or Voice over ATM AAL2. Further the combination of reference does not teach that the termination of the call is detected and then the off-hook indicator is removed. It is therefore submitted that claims 3, 7 and 19 are patentably distinguishable over the prior art and allowance of these claims is requested.

No new matter has been added by this amendment. Allowance of all claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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